

House File 69 - Introduced

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BY SHEETS, HEARTSILL, GASSMAN,
and FISHER

A BILL FOR

1 An Act modifying earned time for a person who kidnaps a minor
2 and is required to register as a sex offender.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 903A.2, subsection 1, paragraph a,
2 unnumbered paragraph 1, Code 2015, is amended to read as
3 follows:

4 Category "A" sentences are those sentences which are not
5 subject to a maximum accumulation of earned time of fifteen
6 percent of the total sentence of confinement under section
7 902.12 or category "C" sentences. To the extent provided
8 in subsection 5, category "A" sentences also include life
9 sentences imposed under section 902.1. An inmate of an
10 institution under the control of the department of corrections
11 who is serving a category "A" sentence is eligible for a
12 reduction of sentence equal to one and two-tenths days for each
13 day the inmate demonstrates good conduct and satisfactorily
14 participates in any program or placement status identified by
15 the director to earn the reduction. The programs include but
16 are not limited to the following:

17 Sec. 2. Section 903A.2, subsection 1, paragraph b, Code
18 2015, is amended to read as follows:

19 b. Category "B" sentences are those sentences which are
20 subject to a maximum accumulation of earned time of fifteen
21 percent of the total sentence of confinement under section
22 902.12 and are not category "C" sentences. An inmate of an
23 institution under the control of the department of corrections
24 who is serving a category "B" sentence is eligible for a
25 reduction of sentence equal to fifteen eighty-fifths of a day
26 for each day of good conduct by the inmate.

27 Sec. 3. Section 903A.2, subsection 1, Code 2015, is amended
28 by adding the following new paragraph:

29 NEW PARAGRAPH. c. Notwithstanding paragraphs "a" and "b",
30 an inmate serving a category "C" sentence is ineligible to
31 earn any reduction of sentence under this section. Category
32 "C" sentences are those sentences for kidnapping as defined in
33 section 710.1, involving a minor, that requires a person to
34 register as a sex offender under chapter 692A.

35 Sec. 4. Section 903A.7, Code 2015, is amended to read as

1 follows:

2 **903A.7 Separate sentences.**

3 1. Consecutive multiple sentences that are within the
4 same category under section 903A.2 shall be construed as one
5 continuous sentence for purposes of calculating reductions of
6 sentence for earned time.

7 2. If a person is sentenced to serve sentences of both
8 categories, category "B" sentences shall be served before
9 category "A" sentences are served, and earned time accrued
10 against the category "B" sentences shall not be used to reduce
11 the category "A" sentences. If an inmate serving a category
12 "A" sentence is sentenced to serve a category "B" sentence,
13 the category "A" sentence shall be interrupted, and no further
14 earned time shall accrue against that sentence until the
15 category "B" sentence is completed.

16 3. If a person is sentenced to serve both a category "C"
17 sentence and another category sentence, the category "C"
18 sentence shall be served before the other category sentence
19 is served, and no earned time shall accrue until the category
20 "C" sentence has been served. If an inmate serving another
21 category sentence besides a category "C" sentence is sentenced
22 to serve a category "C" sentence, the sentence of the other
23 category sentence shall be interrupted, and no further earned
24 time shall accrue against that sentence until the category "C"
25 sentence is completed.

26 EXPLANATION

27 The inclusion of this explanation does not constitute agreement with
28 the explanation's substance by the members of the general assembly.

29 This bill modifies earned time for persons who kidnap a minor
30 and are required to register as a sex offender.

31 Under current law there are two sentence categories relating
32 to the accrual of earned time. An inmate serving a category
33 "A" sentence is eligible for a reduction of sentence equal to
34 one and two-tenths days for each day the inmate demonstrates
35 good conduct and satisfactorily participates in any program or

1 placement status identified by the director of the department
2 of corrections to earn the reduction. An inmate serving a
3 category "B" sentence under current law is eligible for a
4 reduction of sentence equal to fifteen eighty-fifths of a day
5 for each day of good conduct by the inmate.

6 The bill creates a category "C" sentence for the accrual
7 of earned time by eliminating the ability of an inmate to
8 accumulate earned time if convicted of kidnapping as defined in
9 Code section 710.1, involving a minor, that requires the person
10 to register as a sex offender under Code chapter 692A.

11 Under the bill, if a person is sentenced to serve both
12 a category "C" sentence and another category sentence, the
13 category "C" sentence shall be served before the other category
14 sentence is served, and no earned time shall accrue until the
15 category "C" sentence has been served. The bill also provides
16 that if an inmate serving another category sentence besides
17 a category "C" sentence is sentenced to serve a category "C"
18 sentence, the sentence of the other category sentence shall be
19 interrupted, and no further earned time shall accrue against
20 that sentence until the category "C" sentence is completed.